

PRICE \$2½ PER MONTH

PROVINCIAL DIRECTOR

CERTIFICATIONS AND ADDITIONS should
be made **TODAY.**
CERTIFICATIONS cannot be received,
WEDNESDAY.

Zoo Office,
Hongkong, 10th January, 1887. [128]

PUBLIC AUCTION.

Undersigned has received instructions
to Sell by Public Auction, on
THURSDAY,
January, 1887, at 11 A.M., at Messrs.
MIDNIE, MATTHEWS & Co.'s Godowns,
West Point.
ACCOUNTS OF WHOM IT MAY CONCERN,
of the following "BANTAN,"
Jasaka's JAYA SUGAR,
Ex Steamship "CUTELESS."
Jasaka's JAYA SUGAR,
and cargo or less cargo, by Sea Water.
TERMS OF SALE.—Cash before delivery.
G. R. LAMMEET,
Auctioneer.

Hongkong, 10th January, 1887. [129]

PUBLIC AUCTION.

Undersigned has received instructions
to Sell by Public Auction, on
THURSDAY,
the 11th January, 1887, at 2 P.M., at the
residence of H. M. BAILEY Esq., No. 2, Rich-
mond Terrace,
THE WINGS OF THE
HOUSEHOLD FURNITURE, &c.,
Comprising:—
HIGH-MADE TAPESTRY COVERED
DINING ROOM SLIPPER CHAIRS,
OAK EXTENSION DINING TABLE,
BOARD AND WHATNOT, DINNER,
BERT AND BREAKFAST SETS,
TABLE AND PLATED CUTLERY,
FRENCH MADE WALNUT DOUBLED END,
J. DOUBLE IRON BEDSTEAD, TRUNK,
WARDROBES, CHEST OF DRAWERS,
CRYSTAL GLASS, DRESSING TABLE,
GLASS, ENGLISH MADE MARBLE
WASHESTAND, and MAHOAGANY
CODE,
PATTAGE PIANO, by COBS & KALL-
ER & Co., &c., &c., &c.
Viewers will be issued and the whole
lot of goods will be offered on Wednesday, the
12th inst.
TERMS OF SALE.—As Customary.
J. M. ARMSTRONG,
Auctioneer.

Hongkong, 10th January, 1887. [126]

**CHINA STEAM NAVIGATION
COMPANY, LIMITED.**

FOR SHANGHAI.
Cargo and Passengers at through rates
to SHANGHAI, HANKOW, and Ports on the
Yangtze River.
Company's Steamship

"LEESANG."
Sawyer, will be despatched as above
on Saturday, the 14th instant, at THREE P.M.
Freight or Passage, apply to
JARDINE, MATTHEWS & Co.,
General Managers.

Hongkong, 8th January, 1887. [123]

BATON AND BANGKOK.

**SCOTTISH ORIENTAL STEAM-
SHIP COMPANY, LIMITED.**
Company's Steamer

"PHRA CHOM KLAO."
W. B. Watson, will be despatched for
Bangkok and Ports TO-MORROW, the 11th inst.,
at 10 A.M.
Freight or Passage, apply to
YUEN FAT HONG,
Agents.

Hongkong, 10th January, 1887. [129]

SCOTTISH ORIENTAL STEAMSHIP COMPANY.
FOR YOKOHAMA DIRECT.
Company's Steamship

"MENELAUS."
Nelson, will be despatched as above

Freight or Passage, apply to
TUTTERFIELD & SWIRE, Agents.
Shanghai, 10th January, 1887. [58]

**HONG KONG STEAMSHIP COMPANY,
LIMITED.**

BATSWATOW, AMOY, AND FOOCHEOW.
Company's Steamship

"**HAIIPHONG.**"

S. Ashton, will be despatched for the
Ports on WEDNESDAY, the 12th inst.
LIGHT.

Freight or Passage, apply to
DOUGLAS & LAFLAICH & Co.,
General Managers
Hongkong, 10th January, 1887. [124]

LEAN STEAMSHIP COMPANY.
R LONDON VIA SUEZ CANAL.
Company's Steamship

"**TELEMACHUS.**"

Jones, will be despatched as above
TUESDAY, the 14th instant.

Freight or Passage, apply to
TUTTERFIELD & SWIRE, Agents.
Hongkong, 10th January, 1887. [129]

NOTICE TO CONSIGNEES.

**AUSTRO-HUNGARIAN LLOYD'S
STEAM NAVIGATION COMPANY.**

**TRIESTE, ADEN, COLOMBO,
PENANG, AND SINGAPORE.**
Steamship

"**BERENESE.**"

In connection with the S.S. Argos from Calcutta
crosses, having arrived from the above Ports,
freights of Cargo are here notified that
the Goods of the Undermentioned Consignees
are landed at their risk into the Godowns
as "The Hongkong Wharf and Go-
downs," whence delivery may be
made.

Consignees wishing to receive their Goods on
board are at liberty to do so.

Cargoes will be admitted after the Goods
of the Godowns, and claims must be
presented by the Undermentioned before Noon, on
the INSTANT, OR THEY WILL NOT BE
RECEIVED.

Insurance has been effected, and any
claim in the Godown after the 15th
will be subject to rent.

Consignment of Lading will be Counter-signed by
O. BAUHAACH,
Agent.

Hongkong, 8th January, 1887. [5]

**CONSIGNEES OF OPTIONAL CARGO
ON THE S.S. CO. S. S. "ARSON,"
FROM LIVERPOOL.**

Packing Orders must be obtained from the
Undermentioned not later than the 15th inst.
in payment per steamer "**DEUCALION.**"
TUTTERFIELD & SWIRE, Agents.
Hongkong, 8th January, 1887. [77]

LEAN STEAMSHIP COMPANY.

Consignment per Company's Steamer
"**FASCO."**

If any notified that the Cargo is being dis-
patched into Craft, and/or landed at the Go-
downs of the Undersigned; in both cases it will
be consigned "Risk." The Cargo will be ready
for removal from Craft or Godown or on
after Instant, 1887.

Delivered after the 16th inst., will
be subject to rent.

TUTTERFIELD & SWIRE, Agents.
Hongkong, 8th January, 1887. [77]

sisters who see the children say that they
right in in such a state it is a wonder that
are saved as there are. The same as

they still could, and Dr. O'Brien gave attention for some time to all cases received. He satisfied himself that all was done that he could do, and that he could not do more. Most of the children he found suffering from some fatal knotting or twisting of the intestines, the result, apparently, of mismanagement at the moment of birth, or detachment of the placenta.

It was a matter that ought to be inquired into, on our merits, by some sanitary authorities outside the present question, the treatment of the children after they got within the mother's arms.

The percentage of children saved in the two cases out of the total number brought in, is the same as the percentage of saved in the institutions in Europe.

My Sanitary Board must be informed that, if I appoint a medical man to be in attendance at night at the Convent for a week or month, that note of the cases brought in, and the mortality will give him and his colleagues a fairly attended to in every instance.

It is the defective state of the drainage, etc., everything to say, only that the sisters are to go to into such expenses.

(Signed) P. B. C. AYRES, Colonial Surgeon.

REPORTS BY THE COLONIAL SURGEON.

I.

As I inspected these babies often, the great majority of them are brought in in a moribund state, or so ill mortared that they are all but dead. The great majority are also children, and all, if not received into the hospital, would be found on the hill sides (as we already) dead. The greatest possible attention are given to them and I know nothing better that can be done for them by any means than is done in the Convents.

II.

P. B. C. AYRES, Colonial Surgeon.

The great mortality is not among the children brought in, but among infants received in both cases. These in most cases are suffering from rickets when received, a disease caused by the rapid changes of temperature, in the clothing and diet and defective ventilation, such as are to be found in the crowded

since the attack has well set in is hopeless. Common in all tropical climates. These in-

received at all hours of the day and night, and mostly at night, except in a cold or dry paper. I saw one case in the Covent moribund; it had been received previously. In another case the patient died and had been received only three or four hours. No medical attendance had been of any service in either case. These were the only cases there at the time inspection. In the Italian Covent I saw two more cases, both in a hopeless condition, and where medical aid would have been of no avail. If these cases are to have attendance, a resident Medical Officer to be required in both Convents. In St. one of the British Islands, this disease is fatal in 99 per cent. of the children born. It would be impossible for any medical aid to do any good among the Chinese, for no word would be heard of a case until it was hopeless. I saw one dead, and it was evident that, under the condition of the lower classes of the Chinese, the children would be found in their houses and boats, many children of that so many live.

P. B. C. AYRES,
Colonial Surgeon.

morning 30th, 1886.

—

SUPREME COURT.

—

4th January.

IN VICE-ADMIRALTY.

—

THE HON. SIR GEORGE PHILLIPS,
JUDGE JUSTICE, AND CAPT. H. G. THOMSETT,
N. NAVAL ASSESSOR.

—

“SZEASZE NORDEN” V. H. M. S. “E-
R” H.M.S. “ERIN” V. THE “NORDEN.”

—

Francis, Q.C., instructed by Messrs. Watson & Co., appeared for the Norden. The
Attorney-General (Hon. E. J. Aclay), and
counsel by Messrs. Sharp, Johnson, and
for the Erin.

—

Francis, in opening, said the case arose out
collision which occurred between the Dundee
or Norden and H. M. S. *Erin*, on the
November, near Tiger Island, inside the
Tiger, in the Canton river. The two
had been considered, and there were
and counter claims. The first case M.
and police owner of the Norden, was the plain-
tiff, defendant. In the other H. R. Adams
the plaintiff and the Norden and her owners
defendants.

—

Lordship said he supposed the captain of
the Dundee was only the nominal defendant; the
defendant was Her Majesty's Government.
Francis said he was unable to answer his
plea. His own impression was that the cap-
tain was always the real defendant, though of
he might be exonerated by the Govern-

the partition, after describing the two vessels,
at that on the afternoon of the 3rd Novem.

Norden left Whampoa bound on a voyage to the north, there to be met by the steamer to Whampoa. She was in light trim, and proceeded down the river towards the Boccas at six, and about six o'clock came some seven or eight miles above Tiger Island, well over the point of the side of the river, and at about 2 P. M. by compass and going about 93 knots an hour, the tide being in the last hour of the ebb and running up at the rate of half a knot an hour, the wind being light and from the south-east, the steamer was seen to flash a clear red light at night. About half-past six or a little after the white mast-head light of a steamer was seen nearly right ahead, about a quarter of a mile from the point of the river, and was apparently about three miles distant. A few minutes later the red light of this vessel afterwards proved to be H. M. S. *Esperir*, in light trim. The *Esperir* was then about a point or two from the point of the river, and was about to be coming up the river at a speed of seven knots an hour. When the red light of the *Esperir* was seen by those on board the *Esperir* on the course of the *Norden* was altered and the *Norden* was brought to a stop, and reported to give the *Esperir* a wider berth, shortly afterwards the *Norden* was brought to her former course and her helm stiffened. The collision took place at about half-past six, opposite courses, and when the *Esperir* was 500 yards from the *Norden* and broad on starboard bow of the latter, the *Esperir* suddenly reversed her helm and bore down as if to cross the bows of the *Norden*. The *Norden* was unalterable, and as the best way of lessening the shock of the collision the helm of the *Norden* at hard-a-port and one blast of the whistle was given. The *Esperir* came on apparently without any special speed, and the *Norden* was the bows of the *Norden* about abreast of the fore-mastings, great holes in the side of the *Norden*. The collision took place about half 400 yards to the north of the Rock of the Boccas, and about 10 miles from Tiger Island. Immediately after the collision the *Norden* was brought to anchor, and a boat from the *Esperir* was sent to her assistance, but it was found that the *Norden* could proceed to Hong Kong without assistance. Accordingly, arriving in Hong Kong about 15 minutes after midnight. At the time of the collision the *Esperir* was for some time on the regulation lights of the *Norden* were not placed in light, and the *Esperir* being in light trim was kept a Chinese sampan being a look-out at the bows, a Chinese seaman

being at the wheel, and the chief mate and a Chinese pilot hung on the bridge. The collision was caused by the *Esper* not keeping a proper look-out, not putting her helm to port in time to avoid the *Boonville*, and by her not preventing collisions at sea, in improperly starboarding her helm, in not keeping on that side the *Esper* or *Boonville*, and by her not starboarding side of the *Boonville* and by her increasing speed or stopping and reversing her engines

and that corresponds with the time occupied by the ship in covering the distance.

The witness here marked on the chart, the various positions and the movements of the *Esper*. The point to which these brought him did not agree with the true position of the collision.

The witness here marked that the witness had mentioned several times while working out the course that he ought to have commenced his

The answer Captain Adams sent out that the *Norden* was not in the harbor, and that the *Esper* was in the harbor. The *Norden* was at the rate of 7 1/2 knots an hour, steering N. by W. 3/4 W. by compass, which was N. by W. 1/4 W. true. A little in the N.E. of Tiger Island and about 650 p.m. a white light and subsequently a red light were seen from the *Norden* in the star-board bow and about four miles off. As the *Norden* did show her green light, the *Esper* was kept steadily on her course. When the *Norden* showed her apparently red light, a collision had to be feared. The *Esper* bore about two points on the starboard bow of the *Esper* and was apparently 500 yards off, the helm of the latter was starboarded in order to give the *Norden* a wide berth when suddenly the *Norden* shut in her green light and showed her red. A collision then being inevitable the engines of the *Esper* were immediately reversed full speed and her helm was put to starboard. The *Norden* was seen to turn and went off to port only two points. The *Norden* did not appear to slacken her speed at all and the *Esper* struck her on her port bow. The collision took place about a mile and a half from Tiger Island. The *Norden* was not kept on her proper course as required by law, a proper look out was not kept on the *Norden*, the helm of the *Norden* was not properly used, and the *Norden* did not reverse her engines when there was risk of collision.

Mr. Francis went on to say the case seemed to be one of those so frequent in that court in which there was the simplest yet possible combination of circumstances. The case was a simple one, and the witnesses when approaching each other and in which the question for the court was mainly one of evidence. It was unnecessary to go into the question of law until the evidence had been given, because it was not until the evidence was given that the court had to decide whether the light was a red light or a green light. In green light. The case for the *Norden* was that she was coming down the river, keeping on the starboard hand of the channel, as she was bound to do, and the *Esposito* was proceeding on the north side of the channel. They did not know that the *Norden* had entered the river by, but instead of keeping to the starboard side she came hugging the land too closely on the port side. The *Norden* sighted her on a point or a point a little above the low water mark, and as the *Norden* approached each other on almost opposite courses the *Norden* went off to starboard a little to give

the *Esper* a wider berth, and then studied again on her collision. Suddenly, when about 500 yards from the *Norden*, she saw the *Esper* turn starboard, her helm as hard as she could. Seizing the only chance of avoiding the collision was to get past the point of danger as the *Norden* was about to speed up her turn. This was in getting past, but the *Esper* struck her just abreast of the foremast. "The principal charge was the mist," said the *Norden's* captain, "on the wrong side of the channel, that she was not keeping a proper look out; and that at the last moment, when a collision was imminent, she turned wrong round." The *Norden's* account of the course on which she was going was confirmed by the *Esper's* captain, who was on—his statement she was equally wrong. She had the *Norden* on her starboard bow, and under lights 15 and 16 also could not have been so close to the *Norden* and not seen her. "I saw one of her lights as well as the mast head light, and therefore the 16th rule did not apply to the *Norden*," the *Esper's* captain said. "The *Norden's* duty was to stand clear, she had got over to her port side of the channel, have got the *Norden* on her port side, and no collision would have oc-

The following evidence was then called. Mr. Ahlmann interpreting in the Danish language for the officers of the steamer, who did not speak English:—

[illegible]

The old man, Tiger Island, I saw a bright light a quarter of a point on the port bow. I looked at it through the glasses and in about seven minutes I saw the red light first. The bright light was a quarter of a point or about I saw first. When I saw the red light it was about a point on our port bow and a mile distant. There was a clock on the bridge, but there was only down below the bridge. When I saw the red light I gave the order to port a little to give more room. We went off a point for about a minute and then stood on the same course as before. When I noticed that the bright light was at three points on our port bow. We could only see the lights at that time. If both vessels had continued on the same course we would have passed a couple of ship lengths apart. At that time afterwards I saw the other steamer altering her course. She was then not quite half a mile off. I could see her masts and hull at that time. She started making a turn to starboard. As soon as I saw her following her course I gave the order to port, and afterwards, as she came down on us, hard a port. I also blew the whistle, one blast, as a sign that we were porting. The other steamer came straight against us with her stern on our port bow, at an angle of about forty-five degrees. The planks of the *Norden* were broken and bent, and a large hole made in the side of the water. The water in the hold area of the other vessel was gone, and there were splinters lying on deck. Just before the shock our engines were going full speed, but after the collision we had no effect on our speed. After the collision we stopped and anchored. Our anchor was down on minute after the collision. We were at anchor in about half a mile from the point. I took up a look of our position. The old fort on

[illegible]

heard our whistle sounded once, and I heard the chief mate sing out "port, port." When I first saw the other vessel she was about a quarter of a distance from the collision point, and I was examined by the Acting Attorney-General—I went forward on hearing the order "port" because I wanted to see what they were altering the course for. They may have changed the course, but I did not know it. I saw the vessel did not come any order. I thought when that order was given that we were too close to the land. I did not think of anything really, but I had thought to do so, I went forward to see what was going on. I saw the vessel was going past, but I could feel that the engines were going astern about half a minute before the collision. This and the order to port, and the whistle sounded at pretty much the same time, and I was not aware of about three minutes before the collision occurred.

By the Court—I saw the starboard side, but I did not see the green light. I will not say, however, that there was no green light. The woman on board the *Norden*, and was on board on the 3rd November, when the collision occurred. He was on the watch on the lookout from six to eight o'clock. He saw a light at a distance of about half past six he saw a white light a little on the port side. He reported to the chief mate "a light on the port bow." About five minutes later the light disappeared. He saw a light on the port side. He watched the two lights until they came up to them. They were never on the starboard side of the *Norden*. When the lights were at a distance of about three or four lengths distant, they steered wrongly, and starboarded, which caused them to run into the *Norden*. Before the other vessel starboarded they had ported a little. The collision occurred. The *Norden* gave the order "hard a port." The gunboat struck the *Norden* a little forward of the foremast. He never saw the gunboat's green light. He saw the *Norden's* collision light at seven ship's lengths distant from the *Triton* Island.

[illegible]

When the collision occurred, chief engineer of the *Norden*, Fred H. Kunsion, was on duty in the engine room at the time of the collision. He did not notice the collision at the time of the collision, but it was 5-55 a.m. when the anchor was dropped. "I kept my eyes only on the anchor," he said. "At the time of the collision the engines had just commenced to go astern. I was about two and a half minutes from the time of the collision until they were ordered. Witness registered the clock by how it was. The *Thompson* could not act any how it was. When I saw the collision, I saw the *Thompson* 20 feet. I could see Tiger Lind at the time of the collision, but I was certainly not within mile of it. The collision occurred on the starboard side of the *Thompson*. I was on the starboard side, where I was it is I low that hand, which I could not see at night unless you got within quarter of a mile. Our charts have corrected and then it was possible. At the time of the collision our way was greatly taken off. If I had struck the *Norden* at an angle of forty-five degrees instead of thirty my low would have been

[illegible][illegible]

were carried out, but the other ship sank, and the line on the other side was thus diametrically opposed. His contentions were that his clients were perfectly right, as soon as they were green light to green light, to keep on their course; nor were they at all at fault in starboarding to give her. He did not mean, as it was soon as they saw the red light they took the only measures which were possible in putting the helm hard a-port and the engines full speed astern.

His Lordship—Were you on your proper side of the river?

The Acting Attorney-General—Yes, we were on our proper side of the river.

[illegible]

short time afterwards I saw her under way. Then Mr. Clive went forward and reported to me that the ship was on her courses N. by W. & W. by compass. I pointed out the lights to him, and he looked at them through his glasses. I ordered the gunner to inspect our light-vessel as "burning brightly." The light-vessel was "burning brightly," I was near the starboard bow light, and saw it burning brightly. Above me there were a good many men, perhaps a dozen, standing. I watched the ship approaching, and saw her coming up to us from her own starboard bow light. She steadily came on and when she was about two miles off I said to a few

men close to me. Keep a good look out for her red light, for if I see her red light I shall have to stop," he called out. I thought a course exactly parallel to ours, and I thought she would pass about a hundred yards off if both ships kept their courses. When she was about half a mile off I first started to pull green light to green light, then sent a message by the gunner to the engineer to bring down because I was going to anchor. I had wanted to do this because all my men would be in the water. When she was half a mile off I saw two points on our starboard bow as nearly as I can judge. The ships continued to approach, and when about 500 yards off I noticed a small light on her starboard bow, the origin of our starboard light. Then repeated the order. Suddenly I saw her red light. I ordered hard a-port, full speed astern, and ran down the ladder to the engine room hatch. By the time I had reached the engine room the ships were going astern, just beginning. That

[illegible][illegible][illegible]

on the bar to avoid a junk.
The quartermaster said I'd come out there rough
and that night I'd sleep on the bunks above.
And it has not been altered since with the
exception of the fact that the bunks were
removed to prevent the collision occurred. I put
up at first, but the quartermaster said it could
not be that, as that was the way it was
before. I did not say anything to any writing of
the quartermaster when I made that entry, but I
may have done so. I could not remember
the exact date of my trip to entry. Having been
on the bar to avoid a junk.

upto Canton several times. I know the way up, and I do not navigate by the sailing directions. I look at them sometimes. The *Norden* was never a crossing ship to me. As long as the light was visible, I could not be crossing head-on. I considered, on a parallel course. By the Court—The *Norden* got to two points on my starboard bow while on my steady course, and when the starboard engine was started, the *Norden* came to the time when I heard her red light. I then had the helm put hard a-port and the engines full speed astern, so as to mitigate as much as possible the collision. When I first saw the white light of the *Norden*, it was on the starboard bow. The *Norden* it was to helm hard a-starboard she would have cut me down. I could not run away from her. I did not see that I could do anything else than what I did.

10.30 next morning, _____
6th January.

[illegible][illegible]

ader to see the approaching wreck, he saw her white and green lights about two minutes after her lights were first observed by the tug. He saw her white light board bow, her port and her beam. Her red light came into view, and he went to the engine room telegraph, and gave the order "full speed astern." The telegraph was in the two or three bridge mounds, and it took him some time to get to it to give the order. Witness also heard at that time an order from the captain "hard a-port," and he then repeated the order to the quartermaster, and went to him and saw him give the order to the helmsman. The order was repeated over in five seconds and the captain of the order. About 15 seconds

Cross-examined by Mr. Francis—The engine room clock was usually regulated by the starboard clock. He could not say whether it agreed with the ship's clock that evening.

By the court—Witness got the order "stand astern" at 6.20, and the collision occurred about 15 seconds afterwards.

The damage done to the ganboat was comprised of the lowerport, gibboom, tumpkin, and port calked covered away and a cut in the port side davastardine. Judging by the damage to the mortar he should say they struck at an angle. After the first blow they graced along the port side of the *Norden*. As near as he could tell the second shot was a little west of the first, that vessel was going. As for the third shot, he was not sure, but he thought it was aimed about a quarter of a mile. The *Norden* anchored, and he was sent to her with a boat. As he went on board Capt. Davidson met him at the gangway. He asked nothing, but the *Clintons* came along with him, and went aboard.

He then asked if the ganboat's

The hearing was then further adjourned next morning at 10.30.

7th January.

The following additional witnesses were on behalf of the cause for the *Eggor*.

Robert Pellam, first class boy, boarded *Eggor*, stated that, as he was in the starboard gangway at the time in question, putting the "starboard" and quickly "tied" that "hard a-board." Very soon after that he passed the "haze a-port" and "full speed astern."

[illegible]

went over to Tang Lian's ship at 10:30 p.m. the next day, remaining there until 11:30 p.m. The next day, the *North* learned that three witnesses took the bearings he had laid down on the chart and entered them in his act book, and from there he afterwards copied them into the ship's log. They were then taken to the *North* from the *North* and the collision took place. He never saw the *North* on his port bow until after the collision. The collision did not take place anywhere between the *Bato Rock* and the *North*, but on the edge of the *Bato Rock*, and the *North* was on the starboard side of the *North* and the ships could not have come together at the place they alleged. If they had been where the other side alleged they would not have starboarded the *North*. As possible, because their position relative to the *Bato Rock*, would have rendered such a movement dangerous in that position. He put the course of the *Esperio* on the chart produced, and the position in which she lay at anchor, and the green light in the *North* he thought she would have passed them at a distance of 100 to 150 yards. If both vessels had kept on the same course as they were going then there would have been no collision. He said that he was on the *North* when the collision, as they alleged, and witnesses had seen their red light, he should have ported the *Bato*. Witnesses heard no whistle. He was quite sure he did not see the lights of the *North* before he set the

told the latter course they would still have avoided the collision, as it was only a question of feet, the *Espoir* might have been stopped before she could get under way.

He contended that the *Espoir* was in no way to blame for the collision. Upon all the evidence which he had adduced he would ask the court what he thought of the charges against the vessel. He did not think either the crew or the captain guilty. He said that he could believe otherwise than that the witnesses he had called were the witnesses of truth. On the other side he had shown discrepancies in the evidences; they were full of contradictions and improbable coincidences as well as of statements which were so clear as to be entitled to credence.

The Acting Attorney-General went on to contend that if the court did not satisfy his mind as to the *Nord*, being wholly to blame, at least it would find neither case was satisfactorily made out, and each suit should be dismissed. It was possible the other side would raise the contention that the *Espoir* had been wrong in her movement of putting her helm hard overboard, and that they had evidence that if they had not done so the *Espoir* would have been cut in two.

As to the questions Mr. Francis had put us to the roach log of the *Espoir*, and this examination to me I will refer you a few words substantiation to make myself clear.

The entry originally made was "To 30 fathoms collided with the steamer *Nord*." It was felt that this was hardly enough for a satisfactory entry of the affair, and it was decided to include thereabout some entry of the circumstances preceding the collision.

His Lordship said he did not yet know who were the parties before him, whether the commanders of the *Esperanza* and *Nordaca* or the crew of those ships. The British officers were sailing at those times, and the *Esperanza* and *Nordaca* were in the vicinities were brought against the *St. Mungo's* ships was to bring the action against the Admiralty. This was done, and the Admiralty sent a force to the plaintiff to get evidence, the officers and men on board the vessel there elapsed against being under the command of the Admiralty, and the vessel was taken to the Admiralty. If this was a case against Mr. Adams personally he did not see on what ground the Admiralty could be held to a counterclaim against the other ship for damages done to the *Esperanza*. Therefore he ought to know who were the parties before the Admiralty, and the *Esperanza* be the captains of those vessels.

Mr. Francis said the usual course for such a case was to bring the action before the Admiralty, but he had been told that the Admiralty would be justified in assuming that a counterclaim having been entered, it must have been entered by the Admiralty, and that the Admiralty would be bound to be lodged by Mr. Adams himself. If any counterclaim was made it must be by the

His Lordship—You might say—I have nothing to do with that; I look to Mr. Adams.

for the *Esquiro*. He submitted that each party, in the evidence brought by himself, had fully completely proved his case; and the nature of the evidence on either side, although contradictory to that of the other, was completely and equally so.

It was then the nature of the evidence for the other was that it was in no way weaker or less on that of the other, but if one was believed it absolutely got rid of the other. The court would have to decide between two absolutely contradictory statements of the same facts, or the other had been telling untruths. It was an impossible position for the court to be in to decide between two such cases, and it was also unpleasant to the advocates, who wished to put their contentions, so as to wound the feelings of the government, and seemed as little as possible to offend the public. Before going to his own house he was greatly grieved that taking the case for the *Esquiro* alone she had made herself out to blame. They had given an impossible position taking it in connection with the surrounding circumstances, and he was saying that when she told the *Norden* was wrong four points

[illegible]

the evidence he had produced, and the evidence given by his witnesses had not been in the least degree shaken by anything that had transpired in cross-examination, nor was there any material contradiction among the statements of those witnesses. The jury submitted that the production of his clients as to the position where the collision occurred was borne-out to a considerable extent by the evidence of Mr. Ferguson who was a passenger by the *Empire*. That gentleman corroborated the statement of the collision made by the witness Ferguson, and the statement of the witness by the *Empire*. He submitted that the story given by his witnesses was a most consistent one throughout. As an explanation of what appeared at first sight the extraordinary movements of the *Empire* which his witnesses had deposed to, he would now submit his hypothesis.

"They had it in evidence and intended to anchor his vessel that evening, and he submitted, another vessel was to the northwest of Blue Bird, when well past which he would have turned in and anchored there. His actual anchorage that night was subsequently decided upon from other circumstances. Therefore at the time the vessels were drawing near each other they were making preparations on board for coming to an anchor. The evidence showed that the lookout man had been taken from his post and a man was sent to the gangway to pass the orders aft, which would indicate that orders were expected to be passed in quick succession.

The consequence was that there was no man whose duty it was to keep a lookout, for which the captain relied entirely upon himself. He had seen a vessel pass to starboard, and he went to look at the chart, and he never noticed a vessel coming up the port side. When the captain saw this vessel close to him, he was thus taken by surprise and seeing her red light he at

taken by surprise, and knowing full well that once gave the order to port the helm, which would have been ordinarily the proper order. There had been great contrabuctions in this case, and his experience of Admiralty cases in this court had been that they were like borderland cases, which were always said to be at home without honour or honesty. The *Esper* could never have been on the starboard bow of the *Norden*, she must always have been on her port bow, for she was in charge of an experienced pilot who was steering over the usual course by the landmarks. The *Norden* could not have been in the position Mr. Adams gave her to be in, for that would place her in a most dangerous

close proximity to shoal water and quite out of her course. It was not to be supposed that a pilot and officers of experience would have put her into such a position. The story of the *Asipovi* was therefore ridiculous in itself, and looked as if it were made for the purpose of this case. It was an extraordinary order for a naval officer to give which Mr. Adams said he gave to the men who were smoking on the forecastle had been to keep a lookout for the approaching ves-

A few days ago four Yunnan kidnappers were arrested at Canton. They had kidnapped, at Canton, a woman and her daughter aged fifteen at Shanghai and brought them by steamer to Canton, where they intended to sell them. The kidnappers have been brought before the Judge and are now under sentence. There is reason to believe that a very extensive traffic in kidnapped women and children goes on between the different ports.